IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

BENEFICIAL INNOVATIONS, INC.,

Case 2:07-cv-00555-TJW-CE

Plaintiff,

VS.

AOL LLC, a Delaware limited liability company; THE DALLAS MORNING NEWS, INC., a Delaware corporation; GOOGLE INC., a Delaware corporation; IGN ENTERTAINMENT, INC., a Delaware corporation; MORRIS COMMUNICATIONS COMPANY, LLC, a Georgia limited liability company; TRIBUNE INTERACTIVE, INC., a Delaware corporation; YAHOO! INC., a Delaware corporation; and YOUTUBE, LLC, a Delaware limited liability company,

Defendants.

CASE NO. 2:07-CV-555 – (TJW-CE)

Filed 01/08/2008

Jury Trial Demanded

AGREED MOTION FOR EXTENSION OF TIME FOR DEFENDANT, AOL LLC, TO ANSWER OR OTHERWISE RESPOND

Plaintiff, BENEFICIAL INNOVATIONS, INC., files this Agreed Motion to Extend Time for Defendant, AOL LLC, to Answer or Otherwise Respond to Plaintiff's Complaint for Patent Infringement, and in support of same would show the Court as follows:

Defendant, AOL LLC, has requested an extension of time to answer. Plaintiff has agreed to such an extension. The parties respectfully request that Defendant, AOL LLC, be granted an extension of time to file its Answer or otherwise respond to Plaintiff's Complaint for Patent Infringement to February 11, 2008.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, BENEFICIAL INNOVATIONS, INC., respectfully moves the Court to extend the deadline as set forth above pursuant to the request of AOL LLC, and for such other and further relief as the parties may show themselves justly entitled.

Dated January 8, 2008

Respectfully submitted,

By: <u>/s/ Charles Ainsworth</u>

Charles Ainsworth State Bar No. 00783521 Robert Christopher Bunt State Bar No. 00787165

PARKER, BUNT & AINSWORTH, P.C.

100 E. Ferguson, Suite 1114

Tyler, Texas 75702

903/531-3535

903/533-9687 - Facsimile E-mail: rcbunt@pbatyler.com

E-mail: charley@pbatyler.com

S. Calvin Capshaw

State Bar No. 03783900

Elizabeth L. DeRieux

State Bar No. 05770585

Brown McCarroll, L.L.P.

1127 Judson Road, Suite 220

Longview, TX 75601

Telephone: (903) 236-9800 Facsimile: (903) 236-8787 Email: <u>capshaw@mailbmc.com</u> Email: <u>ederieux@mailbmc.com</u>

Eman. edeneux@manbinc.cc

Franklin Jones, Jr.

State Bar No. 00000055

Email: maizieh@millerfirm.com

Jones & Jones, Inc., P.C. 201 W. Houston St. P.O. Drawer 1249

Marshall, TX 75670

Of Counsel:

Gregory S. Dovel (CA State Bar No. 135387) Julien Adams (CA State Bar No. 156135) Dovel & Luner, LLP 201 Santa Monica Blvd., Suite 600 Santa Monica, CA 90401

Telephone: 310-656-7066 Facsimile: 310-657-7069

ATTORNEYS FOR PLAINTIFF Beneficial Innovations, Inc.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 8th day of January, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Charles Ainsworth
Charles Ainsworth